

AMENDED IN SENATE JUNE 12, 2000
AMENDED IN ASSEMBLY APRIL 4, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1885

**Introduced by Assembly Member Correa
(Principal coauthor: Assembly Member Cedillo)**

February 10, 2000

An act to amend ~~Section 627~~ *Sections 627 and 21455.6* of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1885, as amended, Correa. Vehicles: speed limits.

(1) Existing law defines an engineering and traffic survey to be a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation, and lists factors that must be included in a survey. Engineering and traffic surveys are used, among other things, to set speed limits.

This bill would require that pedestrian and bicyclist safety be considered in engineering and traffic surveys, as prescribed. To the extent that this requirement would impose additional duties upon local governmental entities, the bill would create a state-mandated local program.

(2) *Existing law authorizes a city council or county board of supervisors, in accordance with specified requirements, to approve the use of automated enforcement systems for use where a driver is required to stop and provides that the*

authorization does not include the use of photo radar by any jurisdiction.

This bill would provide that this authorization does not include the use of photo radar for speed enforcement purposes by any jurisdiction.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 627 of the Vehicle Code is
2 amended to read:

3 627. (a) "Engineering and traffic survey," as used in
4 this code, means a survey of highway and traffic
5 conditions in accordance with methods determined by
6 the Department of Transportation for use by state and
7 local authorities.

8 (b) An engineering and traffic survey shall include,
9 among other requirements deemed necessary by the
10 department, consideration of all of the following:

11 (1) Prevailing speeds as determined by traffic
12 engineering measurements.

13 (2) Accident records.

14 (3) Highway, traffic, and roadside conditions not
15 readily apparent to the driver.

16 (4) Impact on pedestrian and bicyclist safety,
17 including, but not limited to, both of the following:



1 (A) The presence of a bikeway, as defined in Section
2 890.4 of the Streets and Highways Code.

3 (B) The designation of a local road by a school district
4 as a “suggested route to school,” as defined in the traffic
5 manual promulgated by the Department of
6 Transportation.

7 (c) This section does not preclude a local authority
8 from considering, when establishing speed limits, other
9 factors that are not readily apparent to motorists.

10 SEC. 2. *Section 21455.6 of the Vehicle Code is*
11 *amended to read:*

12 21455.6. (a) A city council or county board of
13 supervisors shall conduct a public hearing on the
14 proposed use of automated enforcement systems
15 authorized pursuant to Section 21455.5 prior to that city
16 or county entering into a contract for the use of those
17 systems.

18 (b) The authorization in Section 21455.5 to use
19 automated enforcement systems does not authorize the
20 use of photo radar *for speed enforcement purposes* by any
21 jurisdiction.

22 SEC. 3. Notwithstanding Section 17610 of the
23 Government Code, if the Commission on State Mandates
24 determines that this act contains costs mandated by the
25 state, reimbursement to local agencies and school
26 districts for those costs shall be made pursuant to Part 7
27 (commencing with Section 17500) of Division 4 of Title
28 2 of the Government Code. If the statewide cost of the
29 claim for reimbursement does not exceed one million
30 dollars (\$1,000,000), reimbursement shall be made from
31 the State Mandates Claims Fund.